## THIRTY-FIFTH CONGRESS. First Session.

TO OUR SUBSCRIBERS

STRADAY, MARCH 12, 1858.

SENATE.

Mr. GWIN presented joint resolutions of the legislature of California, setting forth that the people of the southern portion of that State ere deeply interested in preserving peaceful relations with the numerous and warlike tribes of Indians in their neighborhood, and requesting their representatives in Congress to obtain such legislation as may prevent the removal of their reservation from its present location, and to use their influence with the executive department to induce a continuation of the present reservation; which were referred to the Committee on Indian Affairs and ordered to be printed.

Mr. KENNEDY presented the memorial of A. B. Davis and other highly-respectable citizens of Montgomery county, Maryland, setting forth that they are engaged in agriculture and in the transportation of their products to the city of Washington, and feel deeply the disadvantages under which they labor in not being on an equality with farmers and traders residing elsewhere in the vicinity of Washington; and they therefore pray that the District plank road may be made free; which was referred to the Committee on the District of Columbia.

Mr. TRUMBULL presented the petition of Webster B. Steele, a soldier of the war of 1812, praying to be allowed a pension; which was referred to the Committee on Pensions. MEMORIALS, PETITIONS, ETC.

a pension; which was referred to the Committee on Pensions.

Mr. HAMLIN presented joint resolutions of the legislature of Maine, relative to bounties on cod fisheries, setting forth that their past history abundantly proves that the cod fisheries furnish the cheapest, best, and most efficient schools for manning our navy in time of war, and that the repeal of the law granting bounties to vessels employed in that business would be unjust and oppressive to those induced by the law to embark a large amount of capital in it, and at the same time would be impolitic and unwise in a national point of view, as depriving the country in case of war of one of the most reliable sources for a supply of American seamen; which were laid on the table and ordered to be printed.

Mr. CAMERON presented the petition of operatives and citizens of Blair county, Pennsylvania, praying that sufficient protection may be extended to American labor engaged in the manufacture of iron; which was referred to the Committee on Finance.

Mr. JONES presented the petition of the register and

engaged in the manufacture of iron; which was referred to the Committee on Finance.

Mr. JONES presented the petition of the register and receiver of the land office at Mineral Point, praying an increase of the compensation of registers and receivers of land offices generally; which was referred to the Com-mittee on Public Lands.

REPORTS FROM COMMITTEES

Mr. BENJAMIN, from the Committee on Private Land Claims, to whom was referred the bill for the relief of Manuel Leisa, Joachin Leisa, and others, and to provide for the location of certain private land claims, reported it back with an amendment.

Mr. WILSON, from the Committee on Military Affairs, to whom was referred the bill from the House of Representatives for the relief of John Hamilton, reported it back without amendment, and asked its immediate consideration; and no objection being made, it was read a third time and passed.

sideration; and no objection being made, it was read a third time and passed.

Mr. STUART, from the Committee on Public Lands, to whom was referred the memorial of Ashton S. H. White, praying compensation for signing land patents, reported a bill for his relief; which was read and passed to a second reading.

Mr. S., from the same committee, reported a bill for the relief of Lance Raydon, and a bill pathericing the

Mr. S., from the same committee, reported a bill for the relief of James Rawdon, and a bill authorizing the issuing of certain bounty-land warrants to the legal representatives of deceased persons entitled thereto; which were severally read and passed to a second reading.

Mr. DURKEE, from the Committee on Private Land Claims, to whom was refegred the memorial of the Domestic and Foreign Missionary Society of the Probestant Episcopal Church, praying the confirmation of their title to certain lands, reported a bill to authorize said association to enter certain tracts of land in the State of Wisconsin; which was read and prosed to a second reading. fulls introduced.

Mr. BENJAMIN asked and obtained leave to intro duce a bill to provide for the general introduction of an international code of marine signals; which was read

Mr. CLARK asked and obtained leave to introduce a bill providing for the arrest and return of fugitives from justice in the District of Columbia, which was read twice and referred to the Committee on the Judiciary. The bill provides that where persons charged with crime shall flee or escape from the District of Columbia, the judge of the criminal court rays expected as a second referred to the committee on the Judiciary. flee or escape from the District or Columnia, the land the criminal court may appoint an agent or agents to de-mand of the executive authority of any State or Territory mand of the executive authority of any State or Territory such fugitive, who shall be delivered up in the manner prescribed by the laws of the United States for the delivery of fugitive; from justice, to be removed to the trict of Co. umbia.

RESOLUTION ADOPTED.

On motion by Mr. JOHNSON, of Arkansas, a resolu On motion by Mr. JOHNSON, of Arkansas, a resolu-tion was adopted requesting the Secretary of the Inte-rior to furnish, for the information of the Senate, state-ments of the progress of the report of Major W. H. Em-ory on the United States and Mexican boundary survey, together with the cost of engraving the maps, views, sections, &c., pertaining to this report, specifying the several classes of maps and illustrations, and the number in each class, and where those maps and illustrations are being executed, and by what authority, and who are now engaged upon the proparation of materials for the centinengaged upon the preparation of materials for the contin-uation of this report; how many volumes it will require to complete the work, at what time the compilation will be complete and prepared for delivery to the public print-er; and an estimate of the approximate cost of publishof the approximate cost of pul by the Schate and House of Representatives.

ADMISSION OF KANSAS.

The Senate then resumed the consideration of the bill for the admission of the State of Kansas into the Union Mr. CHANDLER said that he should oppose the bil for the four following reasons: 1st, because the whole matter was conceived and executed in fraud; 2d, be matter was conceived and executed in fraud; 2d, be-cause it does not emanate from the people of that Terri-tory, or express their will; 3d, because it is one of a series of aggressions upon the part of the slave power, which, if permitted to be consummated, must end in a dissolution of this Union; and, 4th, because it strikes a death-blow at State sovereignty and popular rights. He proceeded to elaborate these points in succession, con-tending that if slave property could be protected in the Territories of the United States by virtue of the constituterritories of the United States by virtue of the constitu-tion, as explained in the Dred Scott decision, slave property could also be protected in every State of the Union, thus rendering Michigan as much a slave State as South Caro-lina. But he believed it to be the purpose of the South to reopen the slave trade, and to extend slavery throughto reopen the slave trade, and to extend slavery through-out the Union; only that purpose, from motives of ex-pediency, was not now openly avowed. Mr. C. also de-clared that there were three men in the United States to whom Mr. Buchanan was indebted for his election. Had it not been for the efforts of Judge Douglas, Gov. Walker, and John W. Forney, the President would now have been rusticating at Wheatland instead of occupying the White House, and yet the administration White House; and yet the administration was pursuing all these men with relentless fury because they have the

Mr. C. spoke at considerable length, in the course of his remarks declaring that the whole power of the government could not enforce this constitution on the people of Kansas against their will; and, if blood should flow, (which may God in His mercy avert!) the responsibility must rest entirely upon those who enact this law.

Mr. HUNTER alluded to the difficulties which have

Mr. HUNTER alluded to the difficulties which have surrounded the Kansas question for so long, and expressed the opinion that every fair and impartial mind must come to the conclusion that the President had suggested the best remedy for these difficulties, and had hit upon the true solution of the problem. The Nebraska bill, which was passed in 1854, declared the Missouri restriction inoperative and void; the decision of the Suprema Court of the United States in the Dred Scott case had endorsed that opinion, and gone so far as to declare had endorsed that opinion, and gone so far as to declare this restriction unconstitutional; and the election of the presidential candidate by the democratic party, which planted itself upon the justice of the principles underly-ing the Nebraska bill, may be taken as affording evi-dence that those principles were sustained by a majority of the people of the United States.

of the people of the United States.

Mr. H. demonstrated the legality of the territorial legislature which ordered the election of members of the convention, remarking that it was not a valid objection to say that a majority of the people of Kansas who could vote refused to vote at that election. It is everywhere admitted that those who do not vote, in a free representative government, are bound by those who do. What is admitted that the active government, are bound by those who do. What is the right of the majority? It is to determine a question which is submitted to a vote of the people to determine: it is to elect members who are to represent the popular views. The majority have no right to refuse to vote, and thus create anarchy and confusion. The very exent the popular views. The majority have no right to relise to vote, and thus create anarchy and confusion. The very existence of free representative government is dependent upon the fact that the act of a majority of those who vote is to be regarded as the act of the majority of all

who are entitled to vote, and, therefore, an expression of the popular will.

Mr. H, also went on to examine the objection that had been urged with regard to the necessity of an enabling act, and also the other objection that the constitution what not been submitted to the people for their approval or rejection. Upon the latter point, he said that if it was necessary to have the sense of the people with regard to the constitution in order to make it their will and give it validity, it must not be submitted as a whole, but must be submitted proposition by proposition; for although they might like it as a whole, it by no means followed that they were in favor of all the propositions which it might contain. Then if it was submitted proposition by proposition, the consequence might be that when the votes were all counted, and the result ascertained, the constitution as a whole would turn out to be a very different thing from what anybody expected or desired, and as it would not give satisfaction, it would have to be submitted over again. But it must be evident that in a large community it would be impossible to take the sense of the people on all the teveral parts of the constitution. We are also told that Congress must send it back and require its submission to the people; but if Congress can say that it must be submitted. Congress must say how and to whom it shall be submitted. Congress must say how and to whom it shall be submitted. Congress must send it back and require its submission to the people; but if Congress can say that it must be submitted. Congress must say how and to whom it shall be submitted. Congress must prescribe the right of suffrage. If would be within the power of Congress and aliens; and in prescribing who may compose the body politic, it may prescribe that The SPEAKER also laid before the House communica-tions from the Secretary of the Navy and the Secretary of the Treasury, transmitting the number of clerks employ-ed in their respective departments for the year 1857; which were severally laid on the table and ordered to be printed.
Also, a communication from the Treasury Department.

Also, a communication from the Treasury Department, transmitting the application of the Postmaster General asking an additional appropriation for additional clerk hire; which was referred to the Committee of Ways and Means and ordered to be printed.

Also, a communication from the Secretary of the Navy, transmitting topies of the Official Register; which was laid on the table and ordered to be printed.

Also, a letter from the Secretary of the Treasury, in reply to a resolution of the House of February 9, transmitting a statement of the expenditures in the different Territories for roads, bridges, &c.; which was laid on the table and ordered to be printed.

Also, a letter from the Secretary of the Treasury, transmitting a statement of the legislative expenses of the Territory of Kansas; which was laid on the table and ordered to be printed.

Also, a communication from the Fost Office Department, in relation to certain contracts from July 5, 1856, to Jüne 39, 1857; which was laid on the table and ordered to be printed.

REPORTS FROM COMMITTEES.

should be submitted not merely to white American citizens, but also to negroes and aliens; and in prescribing who may compose the body politic, it may prescribe that there shall be an absolute equality of races. Who does not perceive that this idea involves placing in the hands of Congress matters which are only to be regulated by the people themselves? Not only is this doctrine impracticable to be carried out, but he would submit that, in his judgment, the decision which was made was the very fairest which could have been arrived at. The great question which divided the people of Kansas was the question of slavery; and that question was submitted to the people, and decided by them in their own way. All the constitution except the slavery clause took its author-

he constitution except the slavery clause took its authorized

Mr. KENNEDY said that he had but a few remarks to

lieved the Union could only be maintained by preserving the rights of that minority now to be found in the south ern States of the confederacy. Neither could be be held re-sponsible in any manner for any results which might flow

or seven millions of people on the one side and the twenty millions on the other.

opinion from the great democratic party, and was under no obligation to that party for any favors whatever, the measure which the administration had presented for the

United States, he could not for a single instant hesitate

as to what course he should adopt. He did not believe

that the principle of popular sovereignty could be applied

to a Territory; it can only begin when the inhabitants

are admitted as a State, and have their representatives in both houses of Congress. So long as the territorial gov-ernment exists—so long as the people of Maine or Geor-gia, or any other State, have a right to regulate her in-

stitutions, and pass enabling acts conferring power upon the inhabitants—it was not the exercise of popular sov-

ereignty, in the strict meaning of the term; it was only

quatter sovereignty.

Mr. K. proceeded to say that he formerly belonged to

the old whig party, which received its death-blow from

the hands of the senator from New York, [Mr. Seward,] and when that party broke up, he was obliged to find some plank on which to save himself from the wreck.

He believed that the Lecompton constitution was re-publican in its form, and he should therefore vote for it.

On this question he must either vote with the democratic

was called upon to examine that question at all; there had undoubtedly been fraud on both sides, but that was

stitution, some of which he pointed out, in reference to aliens and Indian suffrage. Such provisions could never

Mr. WADE obtained the floor; and the further consid-

eration of the bill was postponed until half-past twelve o'clock to-morrow: whereupon the Senate adjourned.

HOUSE OF REPRESENTATIVES.

Mr. RUFFIN, of North Carolina, at his request, was ex-

sed from further service on the Committee on Ac

The SPEAKER laid before the House a message from the President of the United States, transmitting the re-port of the Attorney General, with accompanying papers, in relation to the act for the improvement of the laws of the District of Columbia; which was referred to the Com-mittee on the District of Columbia, and the message or-dered to be printed.

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The SPEAKER laid before the House a me

receive his assent.

The committees were called for reports of a private na Mr. WASHBURN, of Maine, from the Committee or Elections, reported a bill for the relief of R. M. P. Clark; which was read twice and committed. Mr. JOHN COCHRANE, of New York, from the Com-

mittee on Commerce, reported a bill for the payment of extra compensation to B. B. Follet, for his services and expenses in recovering certain embezzied government funds; which was read twice and committed.

Mr. WASHBURNE, of Illinois, from the same commit-

Mr. WASHBURNE, of Illinois, from the same committee, presented an adverse report upon the petition of A. A. Millard; and it was laid on the table.

Mr. MAINARD, of Tennessee, from the Committee of Claims, reported a bill for the relief of Eli W. Goff; which was read twice and committed.

Mr. CHAPMAN, of Pennsylvania, from the Committee on the Judiciary, reported Each the bill in relation to courts and the holding of terms therein in the Territory of Nebraska; which was read twice and committed.

Mr. CLAWSON, of New Jersey, from the Committee on Invalid Pensions, reported a bill for the relief of the heirs of Captain Samuel Miller; which was read twice and committed.

Mr. LOVEJOY of Illinois, from the same committee Mr. LOVEJOY, of Illinois, from the same committee, reported a bill for the relief of the heirs of Wm. Edmundson: which was read twice and committed.

Mr. FENTON, of New York, from the Committee on Private Land Claims, reported a bill for the relief of Rosell Maynard, wife of Theodore Maynard, deceased; which was read twice and committed.

Also, a bill for the relief of Abel M. Butler; which was read twice and committed.

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Also, a bill for the relief of Hannah Mintel, and for

question of slavery; and that question was submitted to the people, and decided by them in their own way. All the constitution except the slavery clause took its authority from the convention; and the slavery clause took its authority from the convention; and the slavery clause took its authority from the expressed will of the veople.

But it is said upon the other side that the vote of ten thousand against the constitution on the 4th of January is an evidence that the people of the Territory were opposed to that instrument. He denied that that vote could rightfully enter into the consideration of the subject at all; for if the Leconoten Convention was valid, the legislature bad no authority to pass a law to take the sense of the people; it had no authority to do that which belonged to the convention itself to do—it had no right to interfere with their work in any way. The very existence of popular government required that we should take no evidence with regard to the people's will, unless it was prefented under the sanction and forms of law; and from all the evidence taken under the forms of law; and from all the evidence taken under the forms of law; and from all the evidence taken under the forms of law; and from all the evidence taken under the forms of law; it was clear that this constitution ought to be considered as the valid act of the people of Kanses.

But it was still further urged that elthough this vote of ten thousand against the constitution might be irregularly thrown, yet it was a positive evidence that the constitution what they pleased; and after it was submitted to the people. If there was in truth this majority on the other side, they could have prevented any convention, or could have elected their own members and made the constitution what they pleased; and after it was submitted to the people they could have prevented any onvention, or could have elected their own members and made the constitution what they pleased; and after it was submitted to the people they could have elected that the ther purposes; which was read twice and committed.

Mr. CLINGMAN, of North Carolina, from the Committee on Foreign Affairs, to whom was referred the case of the Norwegian bark Ellen, reported a bill for the re lief of Duncan Robinson; which was read three time and passed.

Mr. CLAY, of Kentucky, from the same committee, reported bills for the relief of George P. Marsh, and for the relief of John P. Brown, which were severally read

wice and committed.

Mr. GROESHECK, of Ohlo, from the same committee, ported a bill for the relief of William Rickson; which as read twice and committed.

Mr. FLORENCE, of Pennsylvania, from the Committwice and committed.

art. FLORESCE, of Fennsylvania, from the Committee on Invalid Pensions, reported bills for the relief of Mrs. Mary Ann Henry, granting invalid pensions to Henry Miller, granting pensions to Mary A. M. Jones, for the relief of Mary B. Dusenbury, granting pensions to Jeremiah Wright, for the relief of John Duncan; which

were severally read twice and committed.

Mr. WOODSON, of Missouri, from the Committee on Indian Affairs, reported a bill to provide for the examination and payment of certain claims of the citizens of Georgia and Alabama, on account of losses sustained by the depredations of the Creek Indians; which was read twice and committed.

SENATE BILLS REFERRED.

On motion of Mr. SHERMAN, of Ohio, the House proceeded to business upon the Speaker's table; whereupon a large number of Senate bills of a private character were read a first and second time by their titles and appromake upon this question; but he wished to define his position, and assign the reasons which would govern his vote upon the bill. In doing so, he should not go into an elaborate discussion of the principles of the Kansaspriately referred.

Senate resolution to authorize certain officers and men engaged in the search for Sir John Franklin to receive certain medals presented to them by the government of Great Britain was taken from the Speaker's table, read three times, and passed.

HOUSE BILLS PASSED.

an elaborate discussion of the principles of the Kansas-Nebraska bill, or whether the doctrine of popular sovereignty had been fully maintained or not. He stood here representing a party almost without a voice in this country; and he was not a party in this contest in any way, because he believed it to be merely a question as to the construction of a party principle with which he could have nothing to do. He had repudiated the whole principle of the Kansas-Nebraska bill; he opposed that bill because it repealed the Missouri-compromise line, and thus worked injustice to the southern States of this Union. He opposed it as a Union man, because he believed the Union could only be maintained by preserving The following bills, heretofore reported from the Comnittee of the Whole, with a favorable recommendation, ere severally read the third time and passed: A bill for the relief of John Hamilton.

A bill for the relief of Thomas Smithers.

A bill for the relief of the heirs of Alexander Steven.

n. A bill for the relief of the legal representatives or as

gnees of James Lawrence.

A bill for the relief of N. C. Weems, of Louisiana A bill for the relief of Francis Wlodecki.
A bill for the relief of Dr. Charles D. Maxwell, a surgeon of the United States navy.
A bill for the benefit of the captors of the British brig

sponsible in any manner for any results which might flow from the disturbance or agitation of the slavery question. That Missouri-compromise line had stood for more than thirty years, and had been a measure of peace; but, when the bone of contention was dug up and thrown recklessly into the party arena, he deprecated a movement which was calculated to bring about a contest between the six Caledonia in the war of 1812. A bill for the relief of John Richmond.

But he was happy to say that while he had differed in Mr. FLORENCE, of Pennsylvania, moved that when the House adjourn to day it adjourn to meet on Monday next; which motion was agreed to—syes 151, noes 49. QUESTION OF PRIVILEGE-THE REPORT OF THE SELECT COM-MITTEE ON KANSAS AFFAIRS.

settlement of the Kansas question accorded so entirely with his own views that, as an American senator, having a just regard to his duty and the obligations of the eath which he had taken to support the constitution of the The SPEAKER stated the business first in order to be the consideration of the appeal of the gentleman from Illinois [Mr. Harris] from the decision of the Chair. The Chair called the attention of the House to the ground on which the decision was made. The gentleman made a statement in behalf of himself and others of the select committee appointed under the order of the House of the 8th-of February last, to whom was referred the Presi-dent's message in relation to the Kansas constitution, that in their opinion the committee had falled to execute the order of the House, and had adjourned, and that he claimed the right to read the journal and minutes of the committee as a question of privilege. The Chair decided that it did not involve the privileges of the House, and that it was not customary to receive the reports through the minority of a committee. In the opinion of the Chair the House could not know that there was a failure on the part of the committee to perform the duty assigned to them. The proposition was to read the journal and a written statement. The Chair decided that it was not some plank on which to save himself from the wreck. He was not ashamed to own that he now belonged to the American party, which, although much misunderstood and misrepresented, was founded upon broad national and constitutional principles. That party took for its cardinal principles the doctrines that American nationality must be preserved, that American interests must be promoted, that the decisions of the Supreme Court of the United States must be maintained, that alien and squatter sovereignty must be repudiated, and that the rights of conscience must be respected.

He believed that the Lecempton constitution was rein order, even if the select committees had been called for reports, and cited as a precedent a case which occurred years ago, in which the Speaker had decided that when the committees were called for reports, reports could not be made by the minority. So far had the precedent gone, that a report was not only not in order for a minority, but it was not competent to refer in debut to that which that a report was not only not in order for a minority, but it was not competent to refer in debate to that which transpired in a committee, much less to present the matter in the manner in which it was brought by the minority in the present case. In the Twenty-sixth Congress it was decided that neither the chairman of a committee nor any member of a committee of the House could allude to anything which had taken place in a committee, or had been done by any member in a committee, except it was done by the official report of the majority of that committee. In this case the Speaker was sustained by a vote of 98 to 84. In the Thirty-first Congress, in a similar case, the proposition being to authorize the taking of testimony in a contested-election case, the Chair had been sustained in deciding that party or the republicans; and he could not vote upon national questions with a party which was sectional in its character. As to frauds, he did not conceive that he had undoubtedly been fraud on both sides, but that was not the question for Congress to consider. He alluded to the quantity of cotton produced for the consumption of the world, of which the largest part is grown in the South, and spoke with considerable carnestness in behalf of the interests of that section with which his constitutherize the taking or testimony in a case, the Chair had been sustained in deciding that case, the Chair had been sustained in a compatitee could not matters which had transpired in a committee could not be referred to in debate. So that, in the opinion of the ents were identified. He regretted, however, that the dominant party in the Senate had signified their intention to couple Minnesota and Kansas together; for there were some very obnexious features in the Minnesota constitution, some of which he pointed out, in reference to allers and Indian enforce. chair, the question of privilege did not arise in the case presented. If the majority had submitted a report, a proposition by the minority of the committee to submit a report, as a matter of courtesy it would have been received, and it was only in that point of view that it could be received. The House could not know whether the committee had discharged its duty until the majority. the committee had discharged its duty until the majority

had reported.

Mr. HARRIS, of Illinois, said nothing but an impera-Mr. HARRIS, of Illinois, said nothing but an impera-tive sense of duty would have caused him to have raised the question which he did yesterday. It was not made rashly, but in a firm belief that he had a right to make it as a question of privilege. He believed so still-The case which the Chair had read in support of his de-cision was, in his judgment, not analogous to the one presented. In that case it was a proposition made to re-port by a single member of a committee a bill for the action of the House. Such being the case, it was reporting something for the legislative action of the House, and did not relate to any conduct or business of the tree. They did not propose to present a case from imittee at all, but as members of the House, and Mr. GROW said he had not propose to present a case from Mr. GROW said he had not constitution.

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members of the committee, to call attention to facts—that certain other members charged with a particular duty had failed to perform it. Why should they wait till they saw whother or not the majority would report? The case the ventured to bay) could not be f md anywhere, where a case had been presented like the present but what had been found legitimate and proper to take into consideration. It was true, as a general rule, that the proceedings in a committee could not be alluded to in debate, but when there was no inintediate relief of the committee itself, the rule admitted of an exception. He asked to present the minutes and records of He asked to present the minutes and the committee, that they might go before the committee, that they might go before the House to show and sustain the correctness of his statement, that the committee had failed to discharge its duties. The proposition was had down in Cushing's Parliamentary Law and Legislative Practice, that where the subject presented right to refer to that action, because that was the very subject itself; and it further stated the mode of reaching the minutes by a motion that they be produced. The form of the motion was not particular. It was substantially the proposition which he made was abundantly sustained by the case he cited. He also referred to the 10th volume of Hansard's Debates to sustain his position. The particular distinction which he made between the case inst cited by the Chair was that it was one member who attempted to submit a report. Rising in their places, case first cited by the Chair was that it was one member who attempted to submit a report. Rising in their places, and stating to the House that its order had not been complied with, was entirely different. It was not claimed to be a report, and could not be characterized as a report, nor as emanating from the authority of the committee, but as members of the House charged with a duty of bringing to the knowledge of the House the facts which they alleged. There was no rule which he thought directly pertinent to the case. How was the question to get before the House that a committee was remiss, if the minority could not report? The majority refused to obey the order of the House, and there were grounds for proceedings in the House, and there were grounds for proceedings in the House. It was dangerous to force precedents, and safer to rest upon good sense and sound judgment.

Mr. STEPHENS, of Georgia, did not wish to prolong the discussion. He stated yesterday that a precedent to sustain the attempt of the minority could not be found in the British Parliament, in our Farliament, nor in the

sustain the attempt of the minority could not be found in the British Parliament, in our Parliament, nor in the history of any legislative body in the world, in his judgment. He had listened to the gentleman from Illinois, but he had not produced a single authority to sustain him. He could not do it. When a committee was remiss in its proceedings, it went to this extent—that the committee, before making the final report, were subject to the order of the House. How? By a question of privilege? No? When they could make that point, they could control the committee. Such was parliamentary law. To that extent the authority sustained the gentleman. But that was not the question. The question was, Was the remissions of the minority or the majority a question of privilege? There were privileged questions and questions of privileges higher than the privileged questions. The question was whether it was a question of privilege. He said it was not. The precedent for it could not be found in Hansard or any other writer on parliamentary law. What would be the use of such a precedent? They have fifty questions of privilege every morning—thirty at least. There was no difference between a select committee and a standing committee. Under instructions their duties were pointed out just as the committees under the rules. The doctrine that the minority in every one of the committees could come in, override the business, rale a question of trine that the minority in every one of the committee could come in, override the business, raise a question privilege, and bring the action that occurred in the con nittee before the House, was unheard of. How coul they legislate if the minority could say that the majorit they legislate if the minority could say that the majority had not done its duty because they did not look into a particular piece of evidence which the merits of the case rested upon? They would have nothing but questions of privilege. They had privileged questions—such as to adjourn, the previous question, &c. There were also questions higher than these, relating to the conduct of embers—the personal rights and the comforts of memors. [A Voice. "Their duties."] Their duties, if yo bers. [A Voice. "Their dulles."] Their duties, if you please; I would prefer the question of duty—the duty to behave in committee and out of it, and the authorities which the gentleman had read upon that subject were right. If members behaved disorderly in committee, it involved a question of privilege. The gentleman said it was difficult to get a precedent. The fact that no such precedent was to be found in the British Parliament was conclusive to his mind that it never entered into the brain of any of them that it was a question of privilege. He looked upon it as one of the most important movements that had ever been made in the House from the foundation of the government. It was revolutionary. ments that had ever been made in the House from the foundation of the government. It was revolutionary, and struck at the foundation of the rules and orders of the House. Under the operation of it, they could do no business whatever, if it was perfectly competent for any member who supposed a committee not to be acting in conformity with his views to have that matter presented as a question of privilege. Turning to the authority which the gentleman had read from, he found what he conceived to be the entire doctrine upon the subject. When a committee has gone through with the business referred to it, (Mr Stremss read,) and agree upon a report, the duty of preparing the report devolves upon some one of the members, by whom it is prepared accordingly and submitted, when the report is agreed upon by the committee. The chair whom it is prepared accordingly and submitted, when the report is agreed upon by the committee. The chair or some other member directs it to be presented, and when that is done they adjourn without day. But the committee can only act together, nothing being in the report but what has been in it when the committee were actually assembled. The report, both in form and sub-stance, ought to correspond with the authority of the ht to correspond with the accommittee.

If it does not, it will either be recommittee.

There was a substitution of the control of the contro disagreed to, or directed to be withdrawn. There was the parliamentary law. If the majority have agreed to report, as they had, and offered to present it, if it was not in pursuance of the authority of the House, they could disagree to it, recommit it, or discharge the committee. The House had control over the committee, and the com-

mittee was forced to report by the majority.

Mr. STANTON, of Ohio, inquired whether, if the majority refused to report, there was any mode by which the question could be brought before the House except by a suspension of the rules?

Mr. STEPHENS replied, in two ways. By a susper of the rules, or on resolution day, when a member had a right to offer any resolution he pleased. But there was no question of privilege. He was prepared to show that the order of the House had been fully executed. If it was not to the satisfaction of the House, they could re-commit the subject, discharge the committee, or turn it over to another, just as they pleased. The majority were ready to meet the issue, but did not intend to overturn the rules of the House and upset parliamentary law. I was for abiding by the rules and laws, and for according plishing nothing in an indirect way. If the minority has any views to present, let both papers be presented, and let a day be fixed for their consideration. If the minority could show that the orders of the House had not been executed, let them do it. He was prepared to meet them. He asked that by general consent this should be done. The select committees could not be called for three months, and that was the reason why he was anxious to bring this report before the House.

Mr. GROW, of Pennsylvania, presumed there was no litherenes of entire that the orders of any legislative.

difference of opinion that the orders of any legislative body were to be obeyed by their committees, and if not obeyed, that was a question of privilege. The only ques-tion was as to how the question was to be got at. He contended that the order of the House was to inquire into all the facts relating to the constitution framed at Le-

compton.

Mr. STEPHENS raised a point of order that the merits of the report were not before the House.

Mr. GROW said it came with an ill-grace from the gentleman, who went over the whole question to make a point of order.

Mr. STEPHENS replied that he had confined him strictly to the question before the House. If the gentle-man wanted to go into the discussion of the resolution under which the committee was appointed, it was what he wanted to do. It was what the minority would not

Mr. GROW continued. The point was whether the question raised by the gentleman from Illinois was one of privilege. In order to determine this, it was necessary to know whether the House had a right to enforce obedience from its committees. obedience from its committees. He repeated that it was the duty of the committee to inquire into the facts con-nected with the Kansas constitution. This could not be done, because the Presiding Officer had put a majorit Mr. WINSLOW, of North Carolina, called the gentle

man to order. The debate was entirely irrelevant. The SPEAKER. The gentleman is commenting upon the action of the Chair. The gentleman will pardon the Chair for saying that the subject-matter referred was the President's message in relation to the constitution of Kan-

the Chair and myself. The subject referred was inquiry

say on that subject. The majority were opposed king any investigation.

Mr. STEPHENS corrected the gentleman. The joilty had investigated every material fact, and ready to show it.

GROW said they were instructed to inquire lifts all the facts connected with the formation of the consti-tution, not whether they believed them material or not

Mr. STEPHENS, rose to a point of order.
Mr. STEPHENS. The gentleman is speaking upon a report not before the House. When that report is before the House, I will be ready to show that it covers all the

The SPEAKER. The gentleman will confine himself

The SPEAKER. The gentleman will confine himself within the legitimate line of debate.

Mr. GROW then proceeded with his argument to show that the committee had been instructed to inquire into the facts connected with the formation of the State constitution, notwithstanding repeated 2018 to order.

Mr. ENGLISH, of Indiana, was one of those who believed that the select Kansas committee should have been so constituted that a majority of it should have reflected the opinions of the House. Whether so constituted or not, he thought it was their duty to carry out the order of the House; and, if they failed in so doing, they would be in contempt of the authority of the House, and should be discharged. But how were they to know whether or not discharged. But how were they to know whether or not that order had been carried out? The gentleman from Illi-nois said it was not carried out, and the gentleman from nots said it was not carried oil, and the gentleman from Georgia took precisely the opposite ground. It could not be done by allowing individual members to make statements of what had transpired. The proper way was to present the official record of the proceedings of the committee. He understood that such had been made, including the report of the gentleman from Georgia and everything else. The right way was to let both state-

everything else. The right way was to let both state-ments be presented.

Mr. QUITMAN, of Mississippi, was sorry to be obliged o call the gentleman to order, but he was not discussing he question before the House. He hoped gentlemen ould cease to charge the majority with having failed to

perform their duty.

The SPEAKER. The gentleman will please to confi mself to the question.

Mr. ENGLISH inquired if the House clionid allow both

Mr. ENGLISH inquired if the House from allow both statements to be presented, whether it would not be it order to move that they be printed, and their further consideration be postponed a few days in order that gentlemen might examine the records? I submit that question

to the House.

Mt. STEPHENS said that was exactly what he wanted

Mr. GROW rose to a point of order.

The SPEAKER. The gentiemen has propounded the question to the Chair whether, if the views of the majority and minority were presented, it would be in order to move to postpone to a day certain. The reports can be received by manimous consent. If the reports and statement shall be received—the majority and minority—it will then be competent for the House to take such action s it pleases.
Mr. ENGLISH inquired whether, if this were done, it

would not be in order to discharge the committee, to re commit with instructions, or to add to it? The SPEAKER. The papers will be in the possession of the House, and it could make whatever disposition of

them that it pleased.

Mr. ENGLISH. Then I appeal to all sides to take that

ourse.

Mr. WASHBURN, of Maine, (excitedly.) I object nov

and at all times.

Mr. HARRIS, of Maryland, submitted a resolution that
the whole matter before the House be made the order of
the day for Tuesday, the 16th instant, at 1 o'clock, when he majority report should be presented to the House.

Mr. WASHBURN, (emphatically.) I object.

Mr. ENGLISH. With leave that the report be print

. [Confusion.]
The SPEAKER. The House will come to order. The entleman from Maine objects.

Mr. UNDERWOOD, of Kentucky, submitted a propo-

sition that unanimous consent be given to both branches of the committee to Lake their report; that they be printed and made the special order for Wednesday Objection from all sides of the House.

Mr. ENGLISH renewed his proposition.

Mr. STANTON said if the majority report proposed no

ction, he saw no objection.

Mr. STEPHENS stated that he had repeatedly said he

Mr. STEPHENS stated that he had repeatedly said has wished ample time for debate.

Mr. ENGLISH said he understood that the gentleman simply proposed to submit a resolution, and did not propose to submit a bill providing for the admission of Kansas under the Lecompton constitution. He would ask him whether he did or did not?

Mr. STEPHENS. I do not.

Mr. ENGLISH. Well, then, there is no way in which the gentle the action of the state of the state of the state of the state.

Mr. ENGLISH. Well, then, there is no way in which they could take action.

Mr. CAMPBELL, of Ohio, suggested that, if the subject was brought before the House, it would be the right of the member to propose an amendment. They should aftix a provise excluding any right for any member to introduce a bill so long as any five members of the committee might desire further time.

Mr. HOUSTON, of Alabama, inquired whether it would

The SPEAKER. It would not be in order.

Mr. COLFAX, of Indiana, said if the proposition wa modified so as to call only for the official journal of the

modified so as to can only for the omitial journal of the committee, without the arguments or the reports, it would be satisfactory to his side of the House.

Mr. STEPHENS. It is not in order, but I must state it. There was no official journal kept by this side. If there was any kept, it must have been kept by the mimerity. There was no clerk, nor was any journal read.

Mr. COLFAX said he was perfectly willing that the
members of each party might get together and agree

upon what was done.

Mr. HARRIS replied that the chairman had kept a careful journal and minute of the committee and signed ti, and it was as regular as if it had been kept by forty clerks, and was the official journal.

Mr. STEPHENS said that the majority had nover seen

or heard a word of it read. He never had. It certainly was not the official one, unless read to the committee. It might be that the gentleman had kept it, but it did not follow that it was the official one, unless sanctioned by the committee

y the committee.

Mr. ENGLISH pressed his proposition.

Mr. STEPHENS remarked that if the appeal was with drawn the reports could be made by unanimous consent, and the subject postponed till this day week.

Mr. WASHBURN, of Maine, (most emphatically.) 1

Mr. HOUSTON asked that the rules be administered.

[Confusion.]

Mr. ENGLISH inquired whether, if the subject was ostponed, it would not stand as it did to day.

The SPEAKER stated that the papers would be before the body for debate. Mr. ENGLISH asked whether the question would re

main the same.

The SPEAKER replied that the papers were not now

Mr. WASHBURN, of Maine, earnestly explained his objection. It was true, as the Chair stated, that when these papers came before the House by unanimous consent, they were in the possession and control of the House. Then, if the majority was opposed to a recommitment flow could vote down that proposition, and if ment, they could vote down that proposition, and if they were in favor of sustaining the previous ques-tion, they could bring the House directly to vote upon the resolutions reported by the committee, and it would be

it in their power to pass it, and this would be considered equivalent to a legislative admission of Kansas. He would object to it at all times. Mr. STEPHENS stated that it was not his object, the object of his side of the House, to introduce any joint resolutions or take any action further than the report.

Mr. ADRAIN, of New Jersey, said the proposition of the gentleman from Indiana was correct, and should be adopted by the House.

in order to submit a joint resolution, and they would have

Mr. ENGLISH again pressed his compromise, with the provise that no bill or joint resolution was to be submitted. Mr. WASHBURN, of Maine, objected. Mr. ENGLISH appealed for the last time.

Mr. ENGLISH appeared for the lac-Numerous objections were made.

Mr. ENGLISH then moved to postpone the further consideration of the subject till this day week.

Mr. STEPHENS hoped the motion would not prevail, and that they should have a vote.

Mr. JONES, of Tennessee, moved that the appeal be

Mr. JONES, of Tennessee, moved that the appeal be aid on the table; pending which, Mr. STANTON moved that the House adjourn; which rotion was not agreed to.

The question was then taken on the motion of Mr

Jones, and it was not agreed to year 109, pays 111 as

President's message in relation to the constitution of Kansas.

Mr. GROW. That is the difference of opinion between the Chair and myself. The subject referred was inquiry as to the constitution.

Mr. DAVIS, of Maryland, rose to a point of order. He felt great reluctance to interfere. The constitution of the select committee was not before the House.

Mr. GROW said he had not another word further to

Buffin, Rassell, Santidge, Savage, Scales, Scoth, Bearing, Seward, Henry M. Psew, Shorter, Engleton, Samuel A. Smith, Wifiam Smith, Stallworth Stephens, Stevenson, James A. Stewart, Tallies, George Taylor, Miles Taylor, Trippe, Ward, Warren, Watkins, White, Whiteloy, Winadow, Woodon, Wortendyke, Augustus R. Weight, John V. Wright, and Zollocoffer—109.

ley Wusdow, Woodson, Wertenstyke, Augustus R. Weight, John V. Wright, and Zollooffee, 169.

NANS: Messrs Abbott, Adrain, Andrews, Bernett, Billinghure, Billinghom, Blair, Billis, Reavion, Inditiation, Burthagame, Burrenth, Campbell, Chee, Craftee, Errs Clark, Clawson, Cockeroll, edita; Comins, Covode, Cox, Craftin, Curtha, Banrell, H. Winter lavels, John G. Bavis, Timothy Pavis of Mussehimetts, Thuothy Pavis of Mussehimetts, Thuothy Pavis of Mussehimetts, Thuothy Davis of Bows, Davis, Device, Cook, Grown, Lawrence, Goods, Growton, Ground, Pester, Giodings, Gilliana, Galiner, Goods, Growton, Grownbeck, Grow, Lawrence W. Hall, Robert B. Hall, Evilua, J. Morrison, Berter, Thomas, E. Harris, Haskin, Hoard, Hotton, Wesseld, Killian, J. Morrison, Harris, Thomas, Hoard, Hotton, Wesseld, Killian, J. Marison, Levipo, Humpitrey Marshall, Samuel S. Marshall, Mattenson, Mensyomery, Morgan, Morrill, Edward Joy Morris, Lana N. Morris, Freeman, H. Morse, Mott, Mutray, Nichols, Olin, Palmer, Morgan, Morrill, Edward Joy Morris, Lana N. Morris, Freeman, H. Morse, Mott, Mutray, Nichols, Olin, Palmer, Stevenson, Judson, Thomas, Cholert, Solvenson, Shaw, Senton, Sterman, Judson, Stevenson, Roberts, Royce, Aarons Shaw, Sohn, Sterman, Judson, Stevenson, Holl, Roberts, Royce, Carles, Bernett, Gentler, William, Scientiff, Scharler, Morgan, Timper, Hompson, Fempkins, Underwood, Wade, Walbridge, Walston, Schott, Sterman, Judson, Lander, Wilson, and Wood—114.
ABSENT OR NOT VOTTING—Meers, Brenich, Caruthers, Borger F. Cark, Clark B. Cockrane, Edit, Gargett, McKnown, Hill, Kein, McKib, Moros, Oliver A. Morse, and Stekies—18

[Before the result of the vote was amounced several members changed their votes, stating that they did so understanding that the appeal was to be withdrawn.]

Mr. HARRIS said that his proposition would present the case fully and fairly for the action of the House. He was willing that the majority should report, and that his statement should be received. The views of the minority were little more than a demurrer to the action of the majority. If that demurrer was overruled, then the minority would ask to present to the House their views, so far its they were deducible. He asked the gentleman from Georgia if he would have any objection to this.

Mr. STEPHENS replied that he would have none whatever. That was the reason why he had delayed his report for a week.

port for a week.

Mr. LEFCHER, of Virginia, said he would like to un

Mr. LEFCHER, of Virginia, said he would like to understand the matter. The gentleman from Illine's claimed the right to file a demurrer to the action of a majority. If that was defeated, then he asked to come upagain with a second report, and try the case over again. Mr. HARRIS (with animation and spirit) replied that he claimed nothing, and those who acted with him claimed nothing, as a matter of privilege, and they wanted to object to their making a report; let them do it. Mr. LETCHER had no objection to their making their feport in the regular way, but he should object to the minority laving one chance with their demurrer, and, falling in that, taking another. Mr. HARRIS was very glad that the gentleman had expressed himself so freely. He had taken his appeal to be reversed by the House. Still reserving the same right to make his report whenever the report of the gentleman from Georgia should be made, he withdrew his appeal from the decision of the Chair, without consenting to the presentation of the report of the majority.

And then, at 20 minutes of four o'clock, p. m., the House adjourned till Monday next.

By Mr. FLORENCE, of Fennsylvagia. The memorial of metchanis and others, citizens of Philadelphia, in behalf of Rainey's lice of ecen multisteamers between Philadelphia and Savannah, and the West loss and Brazil: referred to the Committee on the Foot Office and Fac-

OFFICIAL.

TREASURY DEFARMMENT, February 12, 1888.

TREASTRY DEFARMENT,

February 12, 1885.

NOTICE IS HEREBY GIVEN that scaled proposals will be received at this department until the fifteenth day of March proxime for the issue of any portion, or the whole, of five millions of dollars in treasury notes in exchange for gold coin of the United States deposited with the treasurer of the United States deposited with the treasurer at Bookia. New York, Charleston, or St. Louis, within the days from the acceptance of shell proposals, under the authority of the act of Congress entitled, "An act It suthorize the issue of treasury notes," approved 23d December, 1857.

The treasury notes will be issued upon the receipt here of certificates of deposite with those officers to the credit of the treasurer of the United States. They will be made payable to the order of such bidder or bidders as shall agree to make such exchange at the lowest rate of interest, not exceeding six per centum per annum, and will carry such rate from the date of the certificate of such deposite.

The proposals must state the rate of interest without condition and without reference to ether bids, and contain me other fractional rates than one fourth, oile ball, or three fourths of one per centum. Freper centum of the amount proposed to be exchanged must be deposited with one of the treasury officers above enumerates, know retilicate of such deposite must accompany each proposal, as security for its failtiment. If the proposal is not accepted, immediate directions will be given to return such deposite. Should the proposals be can and from the provisions of tile act of Congress, or of this notice, they will not be considered.

All proposals under this notice must be scaled, and inscribed on the

ant from the provisions of the will not be considered.

All proposals under this notice must be scaled, and inscribed on the outside, "Proposals for Treasury Notes." They will be opened at this department at 12 o'clock, m., on said fifteenth day of March.

HOW 2.1. CODB. Secretary of the Treasury

Feb 12 dif

DEPARTMENT OF STATE. Washington, March 9, 185 Information has been received at this department from 0. 6. Fierce, esq., the United States consul at Berdeaux, of the death at the blace of Mr. France Columbus Fenwick, a citizen of the United States

for several years past a resident at Bordeaux. TO THE CITIZENS OF WASHINGTON.

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he introduced to the American public under the many of the data Aromatic Schangps.

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the proprieter has submitted it to nearly the whole medical facility of the United States, and has received answers from about four their said physicians and chemists, who endorse it, over their signatures, as a most desirable addition to the meteria medica.

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daily.

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sible on this point. We are not opening any new accounts; our credit business is now We are not opening any new accounts; our credit consists distressingly large.
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